

REMARKS

This responds to the Office Action mailed on January 25, 2008.

Claims 1, 8, 15, 16, 17, and 18 are amended, and no claims are cancelled or added; as a result, claims 1-18 remain pending in this application.

§103 Rejection of the Claims

Claims 1-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishibashi (U.S. Patent 5,695,188) in view of Landis (US Publication No. 2004/0235545 A1).

Ishibashi describes a wagering game machine that is operable to present audio sound when symbol columns in a wagering game machine are moved and stopped. In one embodiment, different sounds are generated for each of the symbols passing on the winning line while each of the columns is moved. In an alternate embodiment, different sounds for each reel symbol are presented when the reel symbols are stopped on the winning line when each of the plurality of reel columns are stopped.

Landis describes a system for playing an interactive game, comprising receiving directional audio cues from a multichannel surround sound system. The game player physically moves about the space surrounded by speakers to act out various scenes or perform other actions based on directional audio cues, and which in some examples includes visual cues synchronized with the audio cues to aid the player. More specifically, a television is used in some examples to show which speaker in a surround sound audio environment the game player should be near, may show objects near certain speakers playing sounds associated with those objects, or may show a posture the player should take (*see*, col. 3, ¶34-36; Fig. 3).

Landis uses sound to direct a game player to approach a certain speaker in a game space that comprises a room, or the area surrounded by the speakers, such that the sound is associated with a speaker or player position in the room, rather than appearing to come from a graphical representation of an object on a display screen. If this were the case in Landis, all sounds would come from the center channel speaker, which is the only speaker located anywhere near the display.

Applicant has therefore amended the pending claims to clearly and explicitly recite that the audio cues in the wagering game appear to a game player to come from the physical location

on the display of a displayed game element. This is clearly distinct from what is taught in Landis, where the sound comes from a specific speaker located in different corners of a room, and does not appear to come from a certain part of a display on which a game object is rendered.

Because the claims as amended are therefore patentably distinct from the prior art, applicant respectfully requests reexamination and allowance of the amended independent pending claims 1, 8, 15, 16, 17, and 18, and of their dependents.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request joinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 349-9581 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By

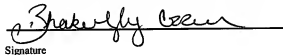


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 25 day of March 2008.

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Name


Signature